

Re: Questions from Minister Blair

From: "StMarseille, Richard" </o=collaboration/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=richard.stmarseille">
To: "Aceti, Julia" <julia.aceti@cbsa-asfc.gc.ca>
Cc: "Millar, Scott" <scott.millar@cbsa-asfc.gc.ca>
Date: Sun, 13 Feb 2022 14:16:26 +0000

I agree

Not the time to over reach. There are concrete things we need to stop people and goods and if we go broader it might kill the opening, not to mention, we're not ready on those broader ideas.

At least from an immigration / denial of entry perspective, the provincial legislation does not really help us - re the question below.

Thanks

Richard

On Feb 13, 2022, at 8:39 AM, Aceti, Julia <Julia.Aceti@cbsa-asfc.gc.ca> wrote:

Hi Scott - yesterday JohnO2 looped me into work he was asked to do, close hold, on gaps we may want addressed if EA invoked federally. I understand that Richard's work is dovetailing into that and there is a customs angle I'm now tracking. I think that is part of the track 2 referenced below but not super clear.

I am sympathetic to Dom's point that a lot of people are being asked the same or variations on the same question.

I would also caution against us taking this too broad. Richard and I are now receiving ideas internally to expand intel collection and sharing authorities. A long-standing cbsa interest, not sure it's proven an impediment in this specific case.

Happy to discuss.

Julia

Julia Aceti
DG Traveller, Commercial, and Trade Policy
343 551 0677

Sent from my iPhone

On Feb 13, 2022, at 8:15 AM, Millar, Scott <Scott.Millar@cbsa-asfc.gc.ca> wrote:

FYSA

Not seeing any immediate responses for us, excepting what we are working on with IRCC (Richard: not sure worth inserting that into this particular conversation, as it seems more domestically focussed. Views?). I guess I could share for SA.

Eager to see the Justice assessment referenced by Jeff.

Scott

From: Harris, Scott <Scott.Harris@cbsa-asfc.gc.ca>
Sent: February 13, 2022 7:31 AM
To: Millar, Scott <Scott.Millar@cbsa-asfc.gc.ca>
Cc: Dominic.Rochon@PS-SP.GC.CA; Vinette, Denis R. <Denis.Vinette@cbsa-asfc.gc.ca>; Clairoux, Lara <Lara.Clairoux@cbsa-asfc.gc.ca>
Subject: FW: Questions from Minister Blair

Looping in Scott Miller on our side as well from a policy perspective.

These are good questions.

Scott Harris

Vice-President | Vice-président
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From: Rochon, Dominic <Dominic.Rochon@PS-SP.GC.CA>
Sent: February 12, 2022 6:03 PM
To: Hutchinson, Jeffery <Jeffery.Hutchinson@pco-bcp.gc.ca>; Bhupsingh, Trevor <Trevor.Bhupsingh@ps-sp.gc.ca>; Dakalbab, Talal <Talal.Dakalbab@PS-SP.GC.CA>; Oldham, Craig <Craig.Oldham@pco-bcp.gc.ca>; Binet, Genevieve <Genevieve.Binet@pco-bcp.gc.ca>
Cc: Harris, Scott <Scott.Harris@cbsa-asfc.gc.ca>
Subject: RE: Questions from Minister Blair

Sorry, I took a sanity break and went to have dinner with my family, and am now returning to the dozens of email threads. I did not see any responses to this email, so thought I would share some thoughts.

I'll start with the second part – I have added Scott Harris who can direct us to who at CBSA can address the CBSA questions.

I think this factors into some other threads, though, on Track 2...

I understand Justice is leading on a list of desired authorities that they're working on, then there is the "scenarios" work that we landed on Jeff (PCE SSEM) leading; and then the overlap with what provinces can do that you address in the email below.

On the track 2 front, there is also a question of the “utility” of using the Emergencies Act... which can be framed along these four lines:

- **Enforcement:** Does the layering of an EA infraction simply loop back to the problem of enforcement and to the existing resource issue and intervention impediments (i.e. concern over escalation to violence)?
- **Communications/Deterrence:** Do the measures have communications and deterrence benefits? These benefits may exist on announcement, but will that hold true later if the measure is not used/enforced and not seen as effective by the public.
- **Duplication:** Do the measures duplicate new provincial measures (ON), or existing authorities (e.g. AB CI authorities), bylaw, criminal law etc.? What does the proposed measure add that is new??
- **Availability/timeliness:** Does the new measure require new legislation beyond EA pronouncement, regulation, operational policy or implementation systems to animate? These may not be available in a timely manner (leg process, minority parl, establishment of administrative/support processes to implement).

Having said all that, do I just share thoughts with you on these things Jeff and you guys are framing into s.39 framework that will then be shared with DMs at DMOC s.39 (understand there will be another one tomorrow). Happy to chat if easier (343-548-2141). Just looking on how to be efficient with so many similar questions from various sources working on similar work.

Dom

From: Hutchinson, Jeffery <Jeffery.Hutchinson@pco-bcp.gc.ca>
Sent: Saturday, February 12, 2022 2:43 PM
To: Bhupsingh, Trevor <Trevor.Bhupsingh@ps-sp.gc.ca>; Rochon, Dominic <Dominic.Rochon@PS-SP.GC.CA>; Dakalbab, Talal <Talal.Dakalbab@PS-SP.GC.CA>; Oldham, Craig <Craig.Oldham@pco-bcp.gc.ca>; Binet, Genevieve <Genevieve.Binet@pco-bcp.gc.ca>
Subject: FW: Questions from Minister Blair

Colleagues,
During the Ministers' update there were some questions asked about the new Ontario Regs. Justice is doing an analysis that they will provide (soon, if I understood correctly).

We need some help making some connections - RCMP will want to look at what Ontario has done to determine how it can be factored into their work on addressing the Ottawa situation, and you folks at PS may want to look at the analysis to figure out how to encourage other provinces to consider the same or similar (discussed by Ministers). The idea was that more provinces lining up with similar intent and posture could have a deterrence effect.

Who can connect this conversation to CBSA ... would it be Denis or Ted?

Gen, I will send you the newest tracker in a minute. Can you pls cross reference the q's below to see if any are covered in the tracker? Thanks!

JH

From: Bogden, Jacqueline <Jacqueline.Bogden@pco-bcp.gc.ca>
Sent: Saturday, February 12, 2022 2:19 PM
To: Rettig, Christina <Christina.Rettig@qpc-cpr.gc.ca>; Hutchinson, Jeffery <Jeffery.Hutchinson@pco-bcp.gc.ca>

Cc: Astravas, Zita <Zita.Astravas@qpc-cpr.gc.ca>

Subject: RE: Questions from Minister Blair

I heard the Minister distill it to three principal things he is looking for:

1. Analysis of the Ontario Emergency Order:

- a. what powers does it contain?
- b. what do these powers mean for resolving Ottawa situation? (i.e., will it be enough?)
- c. would these powers be useful more broadly in other jurisdictions (e.g., AB, MB)?

2. What are our options for better securing the border posture more predictably going forward (instead of whack-a-mole)

- a. Resources (e.g., private security)
- b. Adjust federal jurisdiction beyond CBSA's immediate border infrastructure/bridge
- c. New legal authorities?